

REMARKS

The Applicant respectfully requests reconsideration of the present application in view of the amendments and the following remarks.

35 U.S.C. § 102 and § 103 Rejections

Claims 1-2, 8-11 and 18 are rejected under 35 U.S.C. § 102(e) as being anticipated by Hinzl, U.S. 6,559,530. Claims 3-7 and 12-17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hinzl in view of Huang, U.S. 6,384,353.

Claim 1 as presently amended expressly recites (emphasis added):

An apparatus, comprising:

a Micro-electromechanical System (MEMS) module including at least one MEMS device and a cap covering the at least one MEMS device;

at least one contact mounted to a bottom of the MEMS module;

at least one via to pass vertically through the cap to electrically couple the at least one MEMS device to the contact; and

a trace ring coupled to the at least one MEMS device, wherein one of an input terminal or an output terminal for the at least one MEMS device coupled to the trace ring.

Hinzl is directed to a method of integrating MEMS devices with non-MEMS circuitry. However, Hinzl fails to disclose a "trace ring" as expressly claimed by the Applicant.

Huang is directed to a MEMS device. On page 6 of the instant Office Action, the

Examiner asserts that electrically conductive material 134 discloses a trace ring as claimed

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by the Applicant. Material 134 is coupled to control leads 121 that conduct the actuation voltage for the MEMS switch. Terminals 122 are for input/output signals and are not coupled to the material 134 (Figures 5 and 6; col. 3, lines 1-5). Thus, Huang fails to disclose "a trace ring coupled to the at least one MEMS device, wherein one of an input terminal or an output terminal coupled to the trace ring" as expressly claimed by the Applicant.

Thus, Hinzl and Huang each fail to disclose at least one of the expressly recited limitations of claim 1. Accordingly, claim 1 is not anticipated nor rendered obvious by the cited references. Independent claim 10 distinguishes for at least the same reasons as claim 1. Claims 2-5, 7-9 and 11-15, 17-18 are dependent claims and distinguish for at least the same reasons as their independent base claims in addition to adding further limitations of their own. Therefore, the Applicant respectfully requests that the instant § 102 and § 103 rejections be withdrawn.

Conclusion

The Applicant submits that in view of the remarks and amendments set forth herein, all pending claims are in condition for allowance. Therefore, the Applicant respectfully requests the Examiner to issue a Notice of Allowance in this case.

Charge Deposit Account

Please charge our Deposit Account No. 02-2666 for any additional fee(s) that may be due in this matter, and please credit the same deposit account for any overpayment.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date: Jan. 27, 2006



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